

REMARKS

The present Amendment is in response to the Examiner's Office Action mailed October 6, 2006. By this paper, claims 1-8, 13 and 25 are amended. Claims 1-27 remain pending.

Reconsideration of the application is respectfully requested in view of the above amendments to the claims and the following remarks. For the Examiner's convenience and reference, Applicants' remarks are presented in the order in which the corresponding issues were raised in the Office Action.

I. General Considerations

Applicants note that the remarks presented herein have been made merely to clarify the claimed embodiments from elements purported by the Examiner to be taught by the cited reference. Such remarks, or a lack of remarks, are not intended to constitute, and should not be construed as, an acquiescence, on the part of the Applicants: as to the purported teachings or prior art status of the cited references; as to the characterization of the cited references advanced by the Examiner; or as to any other assertions, allegations or characterizations made by the Examiner at any time in this case. Applicants reserve the right to challenge the purported teaching and prior art status of the cited references at any appropriate time.

In addition, the remarks herein do not constitute, nor are they intended to be, an exhaustive enumeration of the distinctions between any cited references and the claimed invention. Rather, the distinctions identified and discussed herein are presented solely by way of example. Consistent with the foregoing, the discussion herein is not intended, and should not be construed, to prejudice or foreclose contemporaneous or future consideration, by the Applicants, of additional or alternative distinctions between the claims of the present application and the references cited by the Examiner, and/or the merits of additional or alternative arguments.

II. Claim Rejections

The Office Action rejected Claims 1-27 under 35 U.S.C. § 102(e) as being anticipated by United States Patent No. 6,781,727 to *Auracher et al.* ("*Auracher*"). Applicants respectfully disagree.

Applicants respectfully note that a claim is anticipated under 35 U.S.C. § 102(e) only if each and every element as set forth in the claim is found, either expressly or inherently

described, in a single prior art reference. Further, the identical invention must be shown in as complete detail as is contained in the claim. Finally, the elements must be arranged as required by the claim. *See Manual of Patent Examining Procedure ("MPEP")* § 2131.

a. claims 1-6

By this paper, claim 1 has been amended to recite "...a pliable member that includes the first and second transmission lines." Support for this amendment can be found in the application at, for example, Figure 2 and paragraphs [0026] – [0029].

In contrast, the Examiner has not established that *Auracher* teaches or suggests the aforementioned limitation in combination with the other limitations of claim 1. In fact, *Auracher* appears to counsel against such an arrangement, stating "The TO package is advantageously arranged directly at the edge of the board." *Col. 3, lines 55-56. Emphasis added.*

In light of the foregoing, Applicant respectfully submits that the rejection of claim 1, as well as the rejection of corresponding dependent claims 2-6, should be withdrawn.

b. claims 7-12

By this paper, claim 7 has been amended to recite "...a pliable member including first and second insulating layers between which a portion of the first transmission line is positioned..." Support for this amendment can be found in the application at, for example, Figure 2 and paragraphs [0026] – [0029].

In contrast, the Examiner has not established that *Auracher* teaches or suggests the aforementioned limitation in combination with the other limitations of claim 7. Applicant thus respectfully submits that the rejection of claim 7, as well as the rejection of corresponding dependent claims 8-12, should be withdrawn.

c. claims 13-24

By this paper, claim 13 has been amended to recite "...a voltage source configured such that a current output associated with the voltage source is responsive to regulation by the current source; a third transmission line comprising a first end electrically connected to said driver circuit and a second end electrically connected to said optical assembly; and a fourth transmission line electrically connecting said voltage source to said optical assembly, said fourth transmission line being electrically connected to said third transmission line." Support for this amendment can be found in the application at, for example, Figures 3 and 4, and paragraphs [0043] – [0045].

In contrast, the Examiner has not established that *Auracher* teaches or suggests the aforementioned limitation in combination with the other limitations of claim 13. Applicant thus respectfully submits that the rejection of claim 13, as well as the rejection of corresponding dependent claims 14-24, should be withdrawn.

d. claims 25-27

By this paper, claim 25 has been amended to recite a "...circuit [that] comprises... first and second pliable insulating layers between which portions of the first and second transmission lines are disposed." Support for this amendment can be found in the application at, for example, Figure 2 and paragraphs [0026] – [0029].

In contrast, the Examiner has not established that *Auracher* teaches or suggests the aforementioned limitation in combination with the other limitations of claim 25. Applicant thus respectfully submits that the rejection of claim 25, as well as the rejection of corresponding dependent claims 26-27, should be withdrawn.

CONCLUSION

In view of the discussion and amendments submitted herein, Applicants respectfully submit that each of the pending claims 1-29 is now in condition for allowance. Therefore, reconsideration of the rejections is requested and allowance of those claims is respectfully solicited. In the event that the Examiner finds any remaining impediment to a prompt allowance of this application that could be clarified in a telephonic interview, the Examiner is respectfully requested to initiate the same with the undersigned attorney.

Dated this 29th day of January, 2007.

Respectfully submitted,

/Peter F. Malen, Jr./

Peter F. Malen Jr.
Attorney for Applicants
Registration No. 45,576
Customer No. 022913
Telephone: (801) 533-9800

W:\15436\51.1\ML0000004945V001.doc